

Committee on Regulated Industries

CS/CS/HB 307 — Mobile Homes

by Regulatory Affairs Committee; Civil Justice Subcommittee; and Rep. Latvala (SB 662 by Senator Latvala)

The bill relates to the Florida Mobile Home Act, which regulates residential tenancies in which a mobile home is placed on a rented or leased lot in a mobile home park with 10 or more lots. The Division of Florida Condominiums, Timeshares, and Mobile Homes (division) within the Department of Business and Professional Regulation (department) enforces the act. The bill provides that:

- The division is required to provide training and educational programs for mobile home owners' associations;
- Mobile home owners must comply with all building permit and construction requirements. A mobile home owner is responsible for fines imposed for violating any local codes;
- A mobile home owner's right to a 90-day notice of a rental increase or change in services may not be waived;
- A homeowners' committee must make a written request for a meeting with the park owner to discuss a proposed rental increase or change in services or rules;
- Lifetime leases and automatically renewable leases are assumable by the homeowner's spouse; however, this right of assumption may only be exercised once during the term of the lease;
- A member of the board of directors of the Florida Mobile Home Relocation Corporation must be removed immediately upon written request for removal from the association that originally nominated that member;
- A homeowners' association's bylaws are deemed to provide specific provisions in the bill related to the conduct of meetings, electronic communication, voting requirements, use of proxies, amending the articles of incorporation and bylaws, duties of officers and directors, filling vacancies on the board, and recall of directors;
- The division must adopt rules to provide binding arbitration or recall election disputes;
- Board members must either certify that they have read the association's organizing documents, rules, and regulations and that they will faithfully discharge their fiduciary responsibility, or complete the division's educational program within one year of taking office; and
- The homeowners' association is required to retain and make available certain official records to the members of the association, but may not disclose specified information.

If approved by the Governor, these provisions take effect July 1, 2015.

Vote: Senate 40-0; House 114-0